

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

Nationwide Judgment Recovery, Inc. )  
as assignee of Matthew E. Orso, in his )  
capacity as successor court-appointed )  
Receiver for Rex Venture Group, )  
LLC d/b/a ZeekRewards.com for )  
Receiver Kenneth D. Bell )  
Plaintiff, )

v. )

Case No. 3:21-mc-00064-K

Mabel Carpenter, SSN xxx-xx-7388 )  
(a member of the Defendant Class of )  
Net Winners) in ZeekRewards.com); )  
Todd Disner, et al, )  
Defendant. )

Bancorpsouth Bank )

Garnishee

**APPLICATION FOR WRIT OF GARNISHMENT AFTER JUDGMENT**

Nationwide Judgment Recovery, Inc. as assignee of Matthew E. Orso, in his capacity as successor court-appointed Receiver for Rex Venture Group, LLC d/b/a ZeekRewards.com for Receiver Kenneth D. Bell files this Application for Writ of Garnishment After Judgment, and in support thereof would respectfully show this Court as follows:

**I. Parties**

1. Plaintiff in garnishment, Nationwide Judgment Recovery, Inc. as assignee of Matthew E. Orso, in his capacity as successor court-appointed Receiver for Rex Venture Group, LLC d/b/a ZeekRewards.com for Receiver Kenneth D. Bell, is the assignee of the judgment debtor, Matthew E. Orso, in his capacity as successor court-appointed Receiver for Rex Venture Group, LLC d/b/a ZeekRewards.com for Receiver Kenneth D. Bell.

2. Garnishee, Bancorpsouth Bank is a foreign financial institution and may be served at P.O. Box 789, Tupelo, MS 38802.

## **II. Jurisdiction**

1. This court has subject matter jurisdiction under 28 U.S.C. §1332(a)(2) because the parties are citizens of different states and the amount in controversy exceeds \$75,000.

2. This Court has general personal jurisdiction over Bancorpsouth Bank because it has a principal place of business in Texas. Therefore, Bancorpsouth Bank has sufficient minimum contacts with the state of Texas sufficient for this Court to exercise personal jurisdiction over Bancorpsouth Bank.

## **III. Venue**

3. Venue is proper in this district under 28 U.S.C. §1391(a)(1) and (b)(1) because Bancorpsouth Bank resides in this district and because a substantial part of the events or omissions giving rise to the claim occurred, or a substantial part of property that is the subject of the action is situated within this district.

## **IV. Factual Background**

4. Affidavit in for Garnishment. Plaintiff has a valid, subsisting judgment against Mabel Carpenter, defendant in the action styled *Nationwide Judgment Recovery, Inc. as assignee of Matthew E. Orso, in his capacity as successor court-appointed Receiver for Rex Venture Group, LLC d/b/a ZeekRewards.com for Receiver Kenneth D. Bell against Mabel Carpenter (a member of the Defendant Class of Net Winners in ZeekRewards.com); Todd Disner, et al*, In the United States District Court of the Western District of North Carolina; Cause Number 3:14-cv-00091-GCM in this Court. Specifically, the Court entered a Final Judgment on August 14, 2017 for each Plaintiff in the amount of \$34,838.99 plus judgment interest at 1.22% until paid in full. Mabel Carpenter, SSN xxx-xx-7388 does not possess, within Plaintiff's knowledge, property in Texas subject to execution sufficient to

satisfy the judgment. This garnishment is not sought to injure Mabel Carpenter, SSN xxx-xx-7388 and Bancorpsouth Bank.

5. Affiant has reason to believe, and does believe, that Bancorpsouth Bank is indebted to Mabel Carpenter. The Affiant's belief is based on a banking relationship between Bancorpsouth Bank and Mabel Carpenter.

### **Prayer**

Plaintiff prays that -

- a. a writ of garnishment be issued directed to Bancorpsouth Bank as garnishee;
- b. Plaintiff be granted judgment against Bancorpsouth Bank as garnishee for the amount now due on Plaintiff's judgment already rendered against Mabel Carpenter, SSN xxx-xx-7388, together with interest and costs of the suit in the original case and in this garnishment proceeding;
- c. Plaintiff be granted judgment for prejudgment and postjudgment interest at the highest rate allowed by law; and
- d. Plaintiff be granted all further relief to which Plaintiff may be entitled.

RESPECTFULLY SUBMITTED,

A Newark Firm  
1341 W. Mockingbird Lane, Ste 600W  
Dallas, Texas 75247  
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Email: [office@newarkfirm.com](mailto:office@newarkfirm.com)

By: /s/Robert C. Newark, III  
Robert C. Newark, III  
Texas Bar No. 24040097  
Oklahoma Bar No. 21992  
ATTORNEY FOR PLAINTIFF

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**DECLARATION OF ROBERT C. NEWARK, III REGARDING  
APPLICATION FOR WRIT OF GARNISHMENT AFTER JUDGMENT**

Pursuant to 28 U.S.C. § 1746, I hereby declare as follows:

1. I am the attorney for the movant, Nationwide Judgment Recovery, Inc. as assignee of Matthew E. Orso, in his capacity as successor court-appointed Receiver for Rex Venture Group, LLC d/b/a ZeekRewards.com for Receiver Kenneth D. Bell., in this proceeding. I have read the Application for Writ of Garnishment After Judgment filed with this Court and the facts contained within it are true and correct.

2. I declare under penalty of perjury that the foregoing is true and correct.

Executed on June 14, 2021.

By/s/Robert C. Newark, III

Robert C. Newark, III

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BANCORPSOUTH BANK )

Garnishee

TO: Mabel Carpenter, SSN xxx-xx-7388, 1009 Mountain Leather, Horseshoe Bay, TX  
78657

YOU ARE HERBY NOTIFIED that certain property alleged to be owned/held by  
you have been garnished. If you claim any rights in this property, you are advised:

YOU HAVE A RIGHT TO REGAIN POSSESSION OF THE PROPERTY BY  
FILING A REPLEVY BOND. YOU HAVE A RIGHT TO SEEK TO REGAIN  
POSSESSION OF THE PROPERTY BY FILING WITH THE COURT A MOTION TO  
DISSOLVE THIS WRIT.

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Email: [office@newarkfirm.com](mailto:office@newarkfirm.com)

By: /s/Robert C. Newark, III  
Robert C. Newark, III  
Texas Bar No. 24040097  
Oklahoma Bar No. 21992  
ATTORNEY FOR PLAINTIFF